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**BEFORE THE INSURANCE COMMISSIONER
OF THE STATE OF UTAH**

UTAH INSURANCE DEPARTMENT, Complainant, v. ETHAN WAYNE SELPH 9980 South 300 West, Suite 200 Sandy, UT 84070 License # 234659 Respondent.	STIPULATION AND ORDER Docket No. 2015-105 HL Enf. Case No. 3664 Judge Mark Kleinfeld Administrative Law Judge
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STIPULATION

The Utah Insurance Department ("Department"), by and through its legal counsel, and Ethan Wayne Selph ("Respondent"), hereby stipulate and agree as follows:

1. Respondent is an active resident insurance producer. Respondent's business address is 9980 South 300 West, Suite 200, Sandy, UT 84070 Respondent's License Number is 234659.
2. The Department has jurisdiction over the parties and subject matter of this administrative action.

3. Respondent acknowledges notice of agency action pursuant to Utah Code § 63G-4-201; acknowledges that this Stipulation and Order is an informal proceeding pursuant to Utah Code § 63G-4-202; and irrevocably waives the right to any hearing, review or appeal concerning this matter.

4. Respondent knows of his right to be represented by legal counsel and waives this right by either having sought the advice of legal counsel or by having voluntarily chosen not to do so.

5. This signed Stipulation, along with any Findings of Fact and Conclusions of Law, shall not be subject to any reconsideration, renegotiation, modification, hearing or agency review or appeal.

6. The Findings of Fact and Conclusions of Law presented below are accepted by the parties.

7. The issuance of the signed and adopted Order proposed below is solely for the purpose of disposing of the specific matter entitled herein.

8. The only promises, agreements and understandings that the parties have regarding this matter are contained in this Stipulation.

9. Respondent enters into this Stipulation voluntarily, knowingly, and free from any coercion of any kind.

10. The persons signing this Stipulation on behalf of the named parties hereby affirm that they are authorized to sign and bind the parties.

(Signatures Follow)

Dated this 24 day of Sep, 2015.


ETHAN WAYNE SELF, License# 234659

Dated this 24th day of September, 2015.


Gary D. Josephson, Assistant Attorney General
UTAH DEPARTMENT OF INSURANCE

Based upon the foregoing Stipulation and Department file, the Presiding Officer makes the following Findings of Fact:

FINDINGS OF FACT

1. On May 30, 2015, a Department Market Conduct Examiner requested a business card from Respondent at a homeowners association function. Respondent's business card stated "Reliable Insurances." The Department examiner determined that the agency named "Reliable Insurances" was not properly licensed.

2. The Department's investigation found that on October 22, 2008, ML&H Marketing was licensed with the Department as an insurance agency. On October 31, 2010, ML&H Marketing's insurance agency license lapsed. On April 19, 2011, the corporation name was changed from ML&H Marketing to Reliable Insurances with the Utah Division of Corporations but not with the Department.

3. On June 2, 2015, investigative research of Respondent's website showed

advertising under the name “Reliable Insurances.”

4. The investigation found that Respondent’s website domain name of “reliableinsurances.com” was created and used beginning on June 6, 2010.

5. On August 3, 2015, Respondent met with Department Representatives and expressed his willingness and intent to conform to Department requirements. Respondent stated that he had not written any policies or received any commissions as an agency named “Reliable Insurances.”

10. On August 3, 2015, Respondent applied for and received the proper agency license, effective August 10, 2015.

11. The Respondent has agreed to an administrative forfeiture in the amount of \$3,000.00.

Based upon the foregoing Stipulation and Findings of Fact, the Presiding Officer enters the following Conclusions of Law:

CONCLUSIONS OF LAW

1. Utah Code Sections 31A-23a-103 and 103 were violated by Respondent when it solicited insurance sales leads using the entity name “Reliable Insurances” without a proper agency license.

2. The proposed administrative forfeiture of \$3,000.00 is appropriate in this matter.

Based upon the foregoing Stipulation, Findings of Fact and Conclusions of Law, the Presiding Officer herewith enters the following Order:

ORDER

IT IS HEREBY ORDERED:

1. Respondent, Ethan Wayne Selph, is hereby assessed an administrative forfeiture in the amount of \$3,000.00.
2. The administrative forfeiture shall be paid to the Department in consecutive monthly installments of \$500.00 each, with the first payment due on or before November 1, 2015, and the final payment due on or before April 1, 2016.

DATED this 24 day of September, 2015.

TODD E. KISER
Insurance Commissioner



MARK E. KLEINFELD
Administrative Law Judge
Utah Department of Insurance
State Office Building, Room 3110
Salt Lake City, UT 84114
Telephone (801) 538-3800

NOTIFICATION TO RESPONDENT

You are hereby notified that a failure to obey an Order of the Commissioner may subject you to further penalties, including forfeitures of up to \$5,000 per violation and the suspension or revocation of your license and the filing of an action in district court, which may impose forfeitures of up to \$10,000 per day for continued violation.


You are further notified that other jurisdictions in which you may be licensed may require that you report this action to them.

CERTIFICATE OF MAILING

The undersigned hereby certifies that on this date, true and correct copy of the
STIPULATION AND ORDER was mailed, postage prepaid, to the following:

**ETHAN WAYNE SELPH
9980 SOUTH 300 WEST, SUITE 200
SANDY, UT 84070**

Dated this 24th day of September, 2015.


LINDA HARDY
UTAH INSURANCE DEPARTMENT
STATE OFFICE BUILDING, ROOM 3110
SALT LAKE CITY, UT 84114-6901



State of Utah

GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

Insurance Department

UTAH Invoice - Original

ETHAN WAYNE SELPH
SELPH, ETHAN WAYNE
9980 S 300 W STE 200
9980 SOUTH 300 WEST 200
SANDY UT 84070-3654

Printed Date: September 24, 2015
Invoice Date: September 24, 2015
Balance Due: \$3,000.00
Due Date: October 29, 2015
Invoice ID: 804252
Payor ID: 121758

Date	Item Description	Amount	
09-24-2015	Monetary Penalty Individual	\$3,000.00	E-Case 3664 Docket 2015-015 HL Payments to be made in
six equal and consecutive monthly payments			

No Adjustments

No Payments

Balance Amount Due \$3,000.00

UTAH Invoice - Original

Make check payable to: Utah Insurance Department
Send payment to:
Utah Insurance Department
3110 State Office Building
Salt Lake City, UT 84114-6901

Invoice Date: September 24, 2015
Balance Due: \$3,000.00
Due Date: October 29, 2015
Invoice ID: 804252
Payor ID: 121758

E-Case 3664 Docket 2015-015 HL Payments to be made in six equal and consecutive monthly payments

Detach and Return this Voucher with Payment
Payments Will Not Be Processed without Voucher